



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)

(Implements RCW 34.05.310)

Do NOT use for expedited rule making

Agency: Department of Social and Health Services, Aging and Disability Services

Subject of possible rule making: The department is considering amending or repealing the following sections and possibly adding new sections in chapter 388-76 WAC, Adult Family Home Minimum Licensing Requirements: WAC 388-76-1000-Definitions; WAC 388-76-10020—License-Ability to provide care and services; WAC 388-76-10025 License annual fee; WAC 388-76-10035-License requirements-Multiple family home providers; WAC 388-76-10036-License requirements-Multiple adult family home management; WAC 388-76-10070 Application – Fees required; WAC 388-76-10073 Application – Processing fees required; WAC 388-76-10080-Application-Coprovider; WAC 388-76-10105-Application-Change of ownership; WAC 388-76-10106- Change of ownership-Notice to department and residents; WAC 388-76-10115-Granting or denying a license-Generally; WAC 388-76-10120-License-Must be denied; WAC 388-76-10125-License –May be denied; WAC 388-76-10130-Qualifications-Provider, entity representative and resident manager; WAC 388-76-10135 Qualifications – Caregiver; WAC 388-76-10146 Qualifications-Training and home care aide certification; WAC 388-76-10160 Background check-General; WAC 388-76-10162 Background checks-National fingerprint checks-Who is required to have; WAC 388-76-10174 Background check — Disclosure of information — Sharing of background information by health care facilities; WAC 388-76-10200 Adult family home – Staff – Availability – Contact Information; WAC 388-76-10395 Emergency admissions; WAC 388-76-10215 Resident funds-Protection, liquidation or transfer; WAC 388-76-10540 Resident rights-Disclosure of fees; WAC 388-76-10555-Resident rights-Financial affairs; WAC 388-76-10560- Resident rights-Adult family home management of financial affairs; WAC 388-76-10565-Resident rights-Adult family home system for management of residential financial affairs; WAC 388-76-10570- Resident Rights-Financial affairs related to resident death; WAC 388-76-10685 Bedrooms; WAC 388-76-10705-Common use area; WAC 388-76-10750 Safety and Maintenance; WAC 388-76-10940 Remedies – Generally; WAC 388-76-10945 Remedies – Serious risk – Recurring violations – Uncorrected violations; WAC 388-76-10950 Remedies – History and actions by individuals; WAC 388-76-10975- Civil penalties; and other related rules as appropriate.

Statutes authorizing the agency to adopt rules on this subject: RCW 70.128.040

Reasons why rules on this subject may be needed and what they might accomplish: The department is amending these rules to comply with and be consistent with Engrossed Substitute House Bill 1277, Engrossed Substitute House Bill 1548, Second Engrossed Second Substitute House Bill 1738 and Substitute Senate Bill 5042.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: None

Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☒ Other (describe)

DSHS welcomes the public to take part in developing the rules. At a later date, DSHS will file a proposal with the Office of the Code Reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.) Anyone interested should contact the staff person identified below.

Contact:

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Draft section language will be posted on ADSA Professional internet webpage for review and comment prior to filing the CR-102. Anyone from the public can comment directly to the Program Manager listed above via phone, email or fax.

DATE

June 17, 2011

NAME (TYPE OR PRINT)

Katherine Vasquez

SIGNATURE

TITLE

DSHS Rules Coordinator

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